

**Steering Committee Meeting
18 April 2013**

Roll Call:

Josie Clark, United States Environmental Protection Agency (EPA)
Heather Parker, United States Coast Guard (USCG) District 13 (D13)
Ruth Yender, National Oceanic and Atmospheric Administration (NOAA)
Alice Drury, NOAA
Don Pettit, Oregon Department of Environmental Quality (DEQ)
Brenda White – USCG Sector Puget Sound (SPS)
Rebecca Brooks – USCG Sector SPS
Katie Blanchard – USCG Sector SPS
John Titchen, SPS
Mandy Lawrence, United States Department of Interior (DOI)
Linda Pilkey-Jarvis, Washington Department of Ecology (Ecology)
Keith Ledford, Makah Tribe
Chad Bowechop, Makah Tribe
Michael Boykin, EPA
Renee Nordeen, Ecology & Environment, Inc. (START)

Action Items:

- All to inquire of executives if December 10th will be acceptable for the Annual Summit - by FRI 8/30
- Ms. Parker to verify Fed Center South is reserved for 10DEC, post 30AUG.
- Ms. Clark to include the information on changes to the plan from the e-mail from Andy Carlson into master list of changes to 2014 NWACP
- Ms. Pilkey-Jarvis to e-mail Incident Command Post Task Force Leader to determine the final format for the table and determine if he has availability to complete the table in time for inclusion in the 2014 plan. Coordinate with Don Pettit on this.
- Ms. Pilkey-Jarvis include language in Section 5411 to refer readers to the tools in Chapter 9000 instead of the GRPs. (please include a reference to Section 9510 which will be the new TF matrix that will assist in the selection of an ICP).
- Mr. Pettit to complete information in the Emerging Risks Task Force paper on Bakken Oil by close of business 8/29. Scott Knutson will include this into Emerging Risks TF paper and have the paper completed by 30 August.
- All start thinking about what your execs will want to ask NMFS and USFWS re:ESA. We will likely formally ask for specific ESA concerns when the draft agendas are circulated at the beginning of October.
- All tee up conversation with Exec regarding the scope of the In Situ Burn Policy. Does it apply only to the application of a burning agent, or does the intentional ignition of oil trigger the policy?
- Josie and Heather to propose best way to move ISB Policy forward.
- Ms. Pilkey-Jarvis will confirm with the TF facilitator that the information included in the document is not proprietary.

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- Ms. Pilkey-Jarvis and Ms. Parker will research what information in this document could be incorporated in the 2014 Area Plan and will send their recommendations out to the Steering Committee.
- Ms. Parker and Ms. Clark will send letters in September to the counties, tribes, and Local Emergency Planning Committees to alert them the plan is being published for public comment
- Ms. Lawrence and Mr. Titchen to inquire of federal facilities in Portland that would hold 80 people for the public meeting in November.
- Mr. Pettit will reserve the ODEQ conference room for the private meeting on 20 November.
- Ms. Parker and Ms. Clark to create draft Executive Agenda by 9/20/13 and get it out to SC members for review and comments which will be due back to Heather and Josie by 9/27/13.
- Mr. Pettit, Mr. Titchen and Ms. White to create draft NWAC Public Agenda and get draft to Heather and Josie by 9/20/13.
- Ms. Parker and Ms. Clark will get a copy of draft NWAC Public Agenda out to SC members for review and comment by 9/20/13 and will need all SC comments back by 9/27/13.
- Ms. Parker to send electronic drafts of Outreach TF 1-pagers to SC members. All edits due back (using Track Changes) to Heather and Josie by 9/6/13

Endangered Species Act (ESA) Task Force (TF) Update

Ms. Drury [National Oceanic and Atmospheric Administration (NOAA)] gave an update on the work completed by the ESA (TF). She reported that the task force was comprised of members from the United States Environmental Protection Agency (EPA), United States Department of Interior (DOI), members of Washington State Department of Ecology (Ecology), and Oregon Department of Environmental Quality (ODEQ). The task force utilized the Alaska Area Plan template statement of work (SOW) for ESA consultation and made revisions to make the template fit the Northwest Area Plan. The task force worked with EPA to create maps that would show areas that were at a high risk for a spill. The maps currently show roadways, rail lines, facilities that have filed Risk Management Plans (RMPs), and pipelines. She further reported that the group updated the template with the list of USFW listed species, this is not a formal list and consultation would still have to be initiated; however, this list was not reviewed by NOAA Marine Fisheries (NMFS). A formal request will still need to be requested and this is a long procedure.

Ms. Drury further reported on the 2003 Biological Opinion (BO) that was completed on the plan. It did not include *in-situ* burn (ISB) or dispersants other than Corexit 9500. The TF recommends the language suggested in the BO be incorporated into the plan prior to a formal consultation on the plan. There is an outline and suggestion of incorporation that was completed by Ms. Parker [United States Coast Guard (USCG) District 13 (D13)] and Ms. Clark [United States Environmental Protection Agency (EPA)], and Ms. Drury. The TF suggested a pullout section that would indicate under what circumstances a consultation would be necessary, as well as identifying best management practices for protecting listed species. Any large operational changes to the plan would require another consultation.

Ms. Pilkey-Jarvis [Washington Department of Ecology (Ecology)] inquired if the Geographic Response Plans (GRPs) would also be included in the annual review and consultation. Ms. Drury responded this was an unanswered question and the BO requested that each GRP list when certain species would be present in an area. This was completed in some of the GRPs but not all of them. Ms. Parker stated this has been a topic at the national level and the question has been raised whether GRPs require annual review. In California, each of the GRPs are being reviewed to determine if a consultation is required for a GRP. Ms. Yender (NOAA) stated that after the BO was released there was a schedule that was agreed

upon which acknowledged that all of the GRPs could not be reviewed at one time and the GRP review would be conducted over a 5 year period.

Ms. Clark stated the proposal from the TF is to incorporate the 2003 BO in 2014, and to have a Biological Assessment conducted in subsequent. There are no suggested updates from this TF for the 2014 plan.

Update Cycle Overview

Highlighted lines have not been completed. The indented text is the discussion and potential resolution of the highlighted items.

3000 – Removed content describing standard ICS roles and responsibilities of the Operations Section. Retained information that is unique to spill response in WA, OR and ID.

3400 – Moved Initial Emergency Contact information into 93XX: Initial Emergency Contact Information.

In Section 9106 contact information for the trustee agencies are already included. The tribal contact information is missing. Suggest just have a Tribal contact pullout. Ms. Pilkey-Jarvis stated her understanding was this information was going to be placed somewhere in Section 9000. Ms. Clark stated if the Roles and Responsibilities section is reviewed, all of the information is already in this section, including all of the partner agencies and she suggested adding the tribes in this area as well as the air authorities.

Ms. Clark showed Section 9106 which includes all the federal contacts, and could include the tribes. Each state has their own section for contact information. These agencies should not be called out again. It was also suggested to add a spreadsheet that can be sorted for easier use.

Group agreed to have a Tribal section added to 9106.

3521 – Moved content on gasoline response operations from the Planning chapter to Operations chapter. Repeated gasoline policy language in both operations and planning.

3600 – Moved Tribal Contact information into 93XX: Initial Emergency Contact Information.

This issue was covered under the discussion of Section 3400.

4000 – Added NWAC Expectations and Critical Elements to front page.

4000 – Tightened up and clarified language and numbering throughout Chapter 4000.

4000 – Removed language regarding Oregon pilotage requirement.

4200 – Removed content describing standard ICS roles and responsibilities of the Planning Section. Retained information that is unique to spill response in WA, OR and ID.

4290 – Move or delete – Ms. Pilkey-Jarvis to decide.

Ms. Pilkey-Jarvis would like this section to remain in the plan as it is. The difference is the role of the Responsible Party (RP) as the co-leader of the Environmental Unit (EU). She stated she would be able to look at it next year to determine if changes need to be incorporated.

4641 and 4642 – Rewrote In Situ Burn Policy to improve operational execution, and change thresholds to a pm2.5 standard from the previous pm10 standard.

This will be clarified further in a later section of the meeting.

4650 – Clarified Decanting Policy to specifically exclude decanting from nearshore operations as a pre-approved activity. This process must go through the permitting process.

5000 – Remove ICS Language.

5000 – Add in ICP TF work.

This will be discussed further later in the meeting.

95XX – create operational pull out.

Ms. Pilkey-Jarvis indicated this will be worked on throughout the year by Ecology and the placeholder in Section 400 has been removed. The logistics portions of the GRPS are being removed and placed in this section.

Comment [JC1]: This can't be right. There is no section 400.

9408 – Created Operational Checklist for completing ICS-232, Resources at Risk form.

9421 – Created Operational Tool for establishing a Shoreline Assessment Program (SCAT)

94XX – create Decanting Pull Out

Created to ensure it is consistent with the policy. Ms. Clark to review the pullout.

6000 – Removed content describing standard ICS roles and responsibilities of the Finance Section.

6470 – Added language describing access to Oregon State cleanup accounts.

This was completed by Mr. Pettit.

6540 – Updated language regarding Washington State OSRA Approval and Reimbursement Process

6610 – Updated language regarding Washington State Damage Assessment Procedures

ISB TF Update

Ms. Clark sent a version of the ISB TF recommended changes in which she made comments. The document can be viewed here. There are changes that were recommended by the TF that will need to be discussed because it changes the existing plan. She also inquired what of the recommended changes will require approval by the Regional Response Team (RRT), if there is information that should be moved to a

response pullout, and is what should be included in the 2014 update. Ms. Pilkey-Jarvis and Ms. Drury commended the TF on all of their hard work.

Ms. Clark stated there are two portions of the document, the policy portion which will be placed in Section 4640 and a Response Pullout, which will be discussed second. She stated the initial portion of the document is approximately 2 pages which discussed when burning is effective and how it works with references, but she questioned if it belongs in the policy portion of the document. Ms. White inquired if there should be a section in this portion that covers press releases.

Ms. Parker pointed out that this level of detail is not likewise present in the dispersant section and that leads to inconsistency within the plan and this initial information should be placed in another section of the plan. Mr. Boykin stated this information came from the Region 4 plan and he does not feel that it belongs in the Response Pullout because that section is about getting into the field and conducting the burn, and if it does not belong in this section, then it should be removed. Ms. Parker stated she feels that there is good information contained and she does not want to lose this level of detail, but it does not belong in the policy section of the document. Ms. Clark stated it will be reviewed to determine if the initial information can be moved to the response pullout and the name will be changed from operational to response pullout.

Ms. Clark inquired of the Region 10 In Situ Burn (ISB) policy: is the intention to approve the addition of a burning agent per the National Contingency Plan (NCP) or does the intentional ignition of oil alone trigger this policy? Region 4 specified in their policy that ignition even without a burning agent triggered the policy. This was not addressed in the existing R10 policy. The group determined this was an executive level decision. The Steering Committee members are requested to notify their execs that this issue is going to be coming to them for a decision.

Ms. Clark stated in the existing RRT10 ISB policy, the preliminary feasibility analysis required the EU to evaluate the tradeoffs with natural resource managers and trustees. That is the only mention that is given to consultation in the existing ISB policy. Mr. Boykin stated the TF recognized this was emergency consultation and in preauthorization areas only emergency consultations would be conducted. Formal consultations would be conducted in case-by-case situations. Many Steering Committee members felt this was the wrong approach. Ms. Parker stated that there is a time issue with case-by-case areas as well as preauthorization areas. Ms. Drury stated the preauthorization areas meant that DOI and NOAA had agreed to the terms of the plan, but an emergency consultation would still need to be conducted in preauthorization areas. Further the Region 4 plan was written as if the plan would be formally consulted on and it was, therefore, their preauthorization areas had been agreed to. Chad indicated that many years ago, there was a formal government to government consultation that was conducted for dispersant and it was agreed the Makah Tribe would be consulted prior to the use of dispersant agent. He suggested a similar consultation for ISB should be initiated. Ms. Parker stated the proposed plan does not address government to government consultation.

Text will be added stating "even though this area has RRT approval, this policy does not represent meeting the requirements to consult under ESA and the NCP and you must conduct an emergency consultation."

In the preauthorization area and case-by-case area, there are depth requirements. These will be removed. The entire inland zone will remain in the case-by-case area.

Ms. Pilkey-Jarvis recommended that the policy remains the same at this time and keep working on updating this policy. In keeping the update moving forward, Ms. Drury recommended that any additional

parties need to be involved in making decisions, they should be identified prior to the summit and the group continue working so that they are not facing the same calendar challenges this TF faced and the TF does not lose momentum. Mr. Boykin volunteered to continue leading the task force. Ms. Parker and Ms. Clark will discuss how to move forward with the TF.

Shoreline Cleanup Assessment Tool (SCAT) TF

Ms. Clark reported the SCAT TF has completed a tool/job aid to assist SCAT Coordinators stand up a SCAT Program. She showed some of the tools that were developed. She further reported that the issue of who should fill the SCAT coordinator position is unresolved. The Executives will discuss this at the upcoming RRT meeting, and decide if the NWAC would like to set a policy. If they decide to set a policy, this will be added to Chapter 4000 in 2014. Ms. Parker reported the TF is in the process of setting a date for the one-day pre-segmentation workshop, which is on a separate time scale from the Area Plan as it is not tied to the Area Plan update.

Wildlife TF

Ms. Parker reported that an e-mail was received from Mr. Carlson with a spreadsheet that was developed for the plan. There is no policy change that was suggested by the TF. Ms. Clark will include these changes in the list of annual changes.

Incident Command Post (ICP) TF

Ms. Parker reported there was a matrix of potential ICPs but if none of these sites met the needs of the response then there was a template that would guide the user in selecting an appropriate ICP. This information would be included in Chapter 5000. Mr. Pettit reported he was involved in the TF and there were many starts and stops with the work, and consensus of the format and content of the matrix was never reached. He stated that he preferred the old format of the matrix that was developed by Ecology with some additional information. This template was not intended to be printed but utilized similar to a Geographic Information System (GIS) layer. Ms. Pilkey-Jarvis will e-mail the TF facilitator to determine his availability to complete the work and to agree on a template to be used. This information will be Section 9510 – Potential ICP Matrix. Text will be added in Chapter 5000 regarding the tool, and refer the user to the GRPs and remove language as logistical information is in the process of being removed from the GRPs. The statement will be “Please refer to Section 9510 which is a matrix that will assist in selecting an ICP.” This language is currently in Section 5411.

Outreach TF

Ms. Parker provided handouts that were created by this TF and requested the Steering Committee members read them and provide comments to her via e-mail. Ms. Lawrence reported these handouts needs a more complete review, the TF attempted an internal review, but the necessary experts were not available.

Emerging Risks TF

Ms. Parker provided the document that was prepared by this TF. There was a discussion on where the information in this document should be included in the plan and/or if this document should be provided on the public web page. Ms. Clark inquired if the information included in the document was public information. Ms. Pilkey-Jarvis stated the information was public information, and the data on refinery output was provided by the Western States Petroleum Association. Ms. Clark stated that the issue of coal in the water should be included in the Operations Section of the plan. Ms. Pilkey-Jarvis inquired of the

level of specificity that should be included in the plan with regards to the various products that are coming through the region or if should it be broader in nature. Ms. Parker stated there should be specificity because the plan needs to stand up to scrutiny if there is a response. She would like to see a discussion of the products that are being shipped through the region to prove we are aware of the potential risks of these products. Ms. Clark suggested adding this information in Section 1000 since it is an area risk picture. Mr. Pettit suggested information in various sections of the TF document would be provided in various sections of the Area Plan such as health and safety and hazardous materials based on the nature of the product being discussed. Ms. Parker stated the document still needs to be edited before it can be published to the public web site or included in the Area Plan. Mr. Pettit stated he is working on the characteristics of Bakken Oil that he is working on and he will have it completed by close of business 29 August. Ms. Parker suggested including the recommendations that were provided in the TF document into the Summit for this year. Ms. Pilkey-Jarvis will confirm with the TF facilitator that the information included in the document is not proprietary. Ms. Pilkey-Jarvis and Ms. Parker will research what information in this document could be incorporated in the 2014 Area Plan and will send their recommendations out to the Steering Committee.

Area Plan Update Cycle

Ms. Clark stated the goal is to have all updated changes to START by 12 September. The Area Plan will be published for public comment from 1 October to 31 October; this will leave the month of November to incorporate public comments. The final 2014 Area Plan will be published by 10 December.

Ms. Parker and Ms. Clark will send letters in September to the counties, tribes, and Local Emergency Planning Committees to alert them the plan is being published for public comment. The next meeting will be a conference call on 1 November at 1300 to review public comments and conduct final planning for the Annual Summit. The signatories will sign the document at the Annual Summit and the final will be published by 1 January 2014.

Annual Summit

Ms. Parker reported the Annual Summit will be conducted on 10 December at the Federal Center South. The Steering Committee members are requested to ensure this date is acceptable to their execs and if this is not acceptable inform Ms. Parker and Ms. Clark by 30 August. The structure of the summit will be similar to 2012. Ms. Clark and Ms. Parker requested that each Steering Committee member request three ideas of their execs for the summit. Ms. Drury will seek other potential sites in the Seattle area and Ms. Pilkey-Jarvis will inquire of State-run facilities.

November RRT Meeting

Ms. Parker noted there may be a need to change the dates of the meeting.

Ms. Drury inquired of the structure for the ESA portion of the meeting on the afternoon of 20 November. Representatives from NOAA Marine Fisheries (NMFS) and United States Fish and Wildlife Service (USFWS) and possibly NOAA will be at the meeting. Ms. Clark requested questions from the execs be presented at the meeting on 1 November, if they are available prior to 1 November send them to Ms. Drury and Ms. Yender. The workshop should be centered on Emergency Consultation versus Area Plan Consultation. Ms. Clark proposed a scenario be presented and worked through as part of this workshop. Ms. Clark indicated the goal for the outcome of the workshop is to create a set of expectations for Federal On-Scene Coordinators to conduct emergency consultation during a response.

Proposed RRT Agenda Topics

Ms. Clark indicated the Draft Agenda should be prepared by 20 September for approval by mid-October so that it can be published on the public web site.

The public day will be rail road focused. Ms. Parker proposed conducting an operational roundtable during the public day. Ms. Parker proposed Mr. Callister to be a facilitator of this roundtable and structure it similarly to the Table Top Exercise that was conducted on 23 August with USCG and Burlington Northern – Santa Fe Railroad.

Ms. Parker proposed having Mr. Byers give his Oil Sands Presentation from the July meeting again.

Ms. Clark will present the summary of changes for the 2014 Area Plan update.

Ms. Clark requested that any specific concerns or topics that need to be addressed during the meeting be provided to Mr. Pettit by 30 August.

Ms. Clark stated topics for the Executive Day will include the ESA roundtable, if there should be changes made regarding the designation of the SCAT coordinator, and topics for the Annual Summit. Ms. Pilkey-Jarvis will present information on the PIER system and volunteers. Ms. Drury proposed having a 30 minute presentation on the NOAA Navigation Response Team, and later clarified this should be on the public day.

Ms. Lawrence will research federal buildings in the Portland Area that could host 80+ people. Mr. Pettit will reserve the ODEQ conference room for the private meeting on 20 November.

RRT Activations

Ms. Clark stated there have been no RRT activations this year. There is an exercise on 25 September this is proposed for an activation to determine what resource would be available to support the response. There is still a need for an additional activation for this year. Ms. Parker and Ms. Clark will research potential drills being conducted that could be used for an activation.